

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
Plaintiff, : JUDGMENT OF FORFEITURE
-v.- : 20 CIV. 3919 (ER)
\$160,325,378 IN UNITED STATES CURRENCY, :
Defendant-*in-rem*. :
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WHEREAS, or about May 21, 2020, the United States of America (the “United States” or the “Government”) filed a Verified Complaint (D.E. 3) seeking to forfeit the following as constituting proceeds of mail and wire fraud, pursuant to Title 18, United States Code, Section 981(a)(1)(C):

- i. \$160,325,378 in United States currency (the “Defendant Funds”);

WHEREAS, on or about April 23, 2020, Bank Hapoalim B.M. (“BHBM”), an Israeli bank, entered into a Deferred Prosecution Agreement, wherein BHBM agreed, among other things, to the forfeiture to the United States of \$35,696,929 in United States currency representing the gross fees that BHBM earned on its undeclared accounts between 2002 and 2014;

WHEREAS, on or about April 23, 2020, Hapoalim (Switzerland) Ltd. (“BHS”) entered into a Plea Agreement, wherein BHS agreed, among other things, to the forfeiture to the United States of \$124,628,449, which represents gross fees that BHS earned on its undeclared accounts between 2002 and 2014;

WHEREAS, on or about May 6, 2020, BHBM and BHS transferred the Defendant Funds to the Government;

WHEREAS, pursuant to the DPA and the Plea Agreement, BHBM and BHS agreed to waive service of the Government's Verified Complaint and consented to forfeiture of the Defendant Funds;

WHEREAS, beginning on or about May 23, 2020, and continuing through June 21, 2020, the Government published notice of the Verified Complaint against the Defendant Funds, on the official government internet site, www.forfeiture.gov for at least 30 consecutive days, and proof of such publication was filed with the Clerk of this Court on August 6, 2020 (D.E. 5);

WHEREAS, as set forth in Rule G(4)(a)(ii) and Rule G(5)(a)(ii), the notice of forfeiture specified the Defendant Funds and the intent of the United States to forfeit and dispose of the Defendant Funds, thereby notifying all third parties of their right to file a claim to adjudicate the validity of their alleged legal interest in the Defendant Funds, within sixty days from the first day of publication of the Notice on the official government internet site;

WHEREAS, BHBM and BHS are the only individuals or entities known to the Government to have a potential interest in the Defendant Funds; and

WHEREAS, no other claims or answers have been filed or made in this action and no other parties have appeared to contest the action, and the requisite time periods in which to do so, as set forth in Title 18, United States Code, Section 983(a)(4)(A) and Rule G of the Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The Defendant Funds shall be, and the same hereby is forfeited to the Plaintiff United States of America.
2. The United States Department of Treasury (or its designee) shall dispose of the Defendant Funds, according to law.
3. The Clerk of the Court shall forward four certified copies of this Judgment of Forfeiture to Assistant United States Attorney, Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York, 10007.

Dated: New York, New York
September 15, 2020

SO ORDERED:



THE HONORABLE EDGARDO RAMOS
UNITED STATES DISTRICT JUDGE